

Message

From: Marlene Tyner-Valencourt [tyner-valencourt@wra-ca.com]
Sent: 3/10/2021 8:07:52 PM
To: Gan, Janice@Wildlife [Janice.Gan@wildlife.ca.gov]
CC: Nate Bello [bello@wra-ca.com]; Tracey Brownfield [tracey@landveritas.com]; Pankratz, Shannon L CIV USARMY CESPL (US) [Shannon.L.Pankratz@usace.army.mil]; Scianni, Melissa [Scianni.Melissa@epa.gov]; Steinert, Tiffany@Waterboards [Tiffany.Steinert@waterboards.ca.gov]; Mahdavi, Sarvy [Mahdavi.Sarvy@epa.gov]; Mayer, David@Wildlife [David.Mayer@wildlife.ca.gov]
Subject: Re: CDFW provisional approval Petersen Area A third credit release
Attachments: Receipt for Peterson Ranch 3rd Credit Release.pdf

Janice,

Thank you very much for your note documenting CDFW's provisional approval of the 3rd credit release from Area A of the Petersen Ranch Mitigation Bank. I will send out a follow-up email with the updated release request letter and revised annual report incorporating the requested edits.

In the meantime, I have attached the receipt from SRMA documenting the deposit of **Ex. 4 CBI** into the Endowment Fund Account was made earlier this month.

Thanks,
Marlene

On Tue, Mar 9, 2021 at 2:06 PM Gan, Janice@Wildlife <Janice.Gan@wildlife.ca.gov> wrote:

Marlene

We received your information regarding your request for the 3rd credit release for AREA A on Petersen Ranch Mitigation Bank dated December 11, 2020, and updated February 19, 2021. As you know the IRT can't approve a credit release until all requirements have been met including funding a minimum of 40% of the 2019 CPI adjusted Endowment Amount. Since some of the Bank's AREA A failed to meet the Year 3 Performance Standards you have requested a partial credit release. Because this circumstance is a bit unusual you also requested confirmation before providing documentation of the required 40% Endowment Fund deposit, that CDFW has not identified any issues that would prevent approval of this credit release as proposed. Although this does not constitute CDFW approval of the proposed AREA A Third Credit Release, based on documentation and discussion with you and David Mayer, CDFW Environmental Program Manager, we anticipate being able to approve the number of credits as requested in your most recent letter dated February 19, 2021, which reflects the removal of the 0.66 credits that did not meet Performance Standards as discussed. Any CDFW approval of credits associated with the AREA A third Credit Release is predicated on the assumptions that conditions on these areas of the Bank have been accurately described and that all other requirements will be met.

Before we can provide a determination on the Third Credit Release your Credit Release Request will need to include;

- documentation that \$437,457.37 has been deposited into the Endowment Fund Account managed by the Southwest Resource Management Association.
- Updates to Appendix A, Table 5. Table 5 in Appendix A (where you explain whether or not the performance standards are met) still shows "Yes" for meeting UPS 28 even though the text explains that you did not meet that performance standard when the fall monitoring data is excluded. For clarity, please revise Table 5 to say "No" for UPS 28.

- Updates to Appendix A, Table 5, Footnote 1. In footnote 1 (where you note this data is from October) for clarity please revise to state that this is supplemental data that is not being used to assess compliance with the performance standard since it was collected outside the required monitoring window.

Please revise annual report as needed to be consistent with these updates.

Please let me know if you have any questions. Thanks Janice

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Our San Diego office has moved! Please note our new address.